<u>REMARKS</u>

The Applicant thanks the Examiner for indicating the acceptability of the originally filed drawings on the Office Action Summary form and for returning the initialed Form 1449 for the IDS filed on August 3, 2005.

STATUS OF CLAIMS

Claims 1, 3, 5, 16, 18, 20, 31, 32, and 41 have been amended. Claims 53-55 have been added. No claims have been cancelled or withdrawn.

Claims 1-5, 8, 9, 13-20, 23, 24, 28-34, and 38-55 are currently pending in the application.

INTERVIEW SUMMARY

The Applicant thanks the Examiner for the Interview conducted on August 1, 2007. The interview was between Examiner Walsh and the applicant's attorney, Craig G. Holmes. Pending Claim 1 that was rejected in the Final Office Action was discussed along with U.S. Patent Application Publication No. 2005/0223115 A1 of *Hanson et al.* In particular, the discussion focused on the following: the difference between the content of the Application and the prior art of *Hanson*, the basis of the 102(e) rejection of Claim 1 with respect to the disclosure of *Hanson*, and the Applicant's proposed amendments to Claim 1. While the interview was helpful in providing the Applicant's representative and the Examiner with a deeper understanding of Claim 1 and *Hanson*, no agreement was reached. The Applicant is providing herein the amendment that was proposed during the interview.

SUMMARY OF THE REJECTIONS/OBJECTIONS

Claims 3 and 18 have been objected to because of informalities.

Claims 1-3, 5, 8, 9, 13-18, 20, 23, 24, 28-31, 33, 34, and 38-52 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent Application Publication Number 2005/0223115 of Hanson et al. (" *Hanson* ").

Claims 4, 19, and 32 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Hanson* in view of the reference titled "Adaptive Frequency Hopping Implementation Proposals for IEEE 802.15.1/2 WPAN" by Gan et al. (" *Gan* ").

The rejections are respectfully traversed.

RESPONSE TO OBJECTIONS NOT BASED ON THE PRIOR ART

Claims 3 and 18 have been objected to because of informalities. Specifically, the Final Office Action states: "Claim 3, lines 3-4 and claim 18, lines 4-5 recite 'prior to a failure of the second participant that prevents the first participant...assigned to the first participant.' It is unclear if the first participant should be rewritten as the second participant."

The Final Office Action is correct in the suggested correction, as each of the two references to the "first participant" in the features of Claims 3 and 18 cited above should be rewritten to refer instead to the "second participant." Claims 3 and 18 are amended herein to reflect this correction, which the Applicant respectfully submits traverses the objections to Claims 3 and 18 in the Final Office Action.

In addition, the Applicant has amended device Claims 32 and 41 to ensure that the claim terminology of referring to a "devices" or "devices" is consistently used in those claims and in the claims from which they depend (instead of using the terms "participant" and "participants" as originally written and as are generally used in the computer-implemented method and computer-readable storage medium claims).

Finally, as a result of the amendments to independent Claims 1, 16, and 31, dependent Claims 5, 20, and 41 have been amended to ensure consistency with the changes made in the respective independent claims.

RESPONSE TO REJECTIONS BASED ON THE PRIOR ART

A.   CLAIM 1

(1)   INTRODUCTORY DISCUSSION OF CLAIM 1

(A)   AMENDMENTS TO CLAIM 1

As amended herein, Claim 1 features:

"A computer-implemented method for assigning functions between participants in a
        communications arrangement comprising a plurality of participants, the
        method comprising the steps of:

assigning, to a first participant from the plurality of participants, one or more functions
        to be performed by the first participant;

prior to a failure of the first participant that prevents the first participant from

*performing any of the one or more functions assigned to the first particip*ant:

designating a second participant from the plurality of participants to perform

the one or more functions if any of one or more handoff criteria are

satisfied;

the first participant communicating directly with the second participant to

indicate that the second participant has been designated to perform the

one or more functions if any of the one or more handoff criteria are

satisfied;

the first participant performing the one or more functions; and

the second participant not performing the one or more functions;

in response to any of the one or more handoff criteria being satisfied:

assigning the one or more functions to the second participant; and

the second participant performing the one or more functions instead of the

first participant performing the one or more functions."

(Emphasis added).

(B)   DISCUSSION OF AMENDMENTS TO CLAIM 1

Thus, Claim 1 is amended to clarify that "*prior to a failure of the first participant that prevents the first participant from performing any of the one or more functions assigned to the first participant,*" "the **first participant [is] performing** the one or more functions" but that "**the second participant [is]** *not* **performing** the one or more functions." Claim 1 also features that "*in response to any of the one or more handoff criteria being satisfied,*" "**the** *second* **participant [is] performing the one or more functions** *instead of the first* **participant performing the one or more functions.**" Therefore, these amendments to Claim 1 convey that the "one or more functions" are performed by the first participant but not the second during a first time period (e.g., prior to the failure of the first participant...), whereas during a second time period (e.g., in response to the handoff criteria being satisfied), the second participant performs the one or more functions instead of the first participant. In effect, these amendments to Claim 1 represent the concept of "transferring" responsibility for the performance of the one or more functions from the first participant to the second participant.

18

In addition, during the first time period, the second participant is designated to perform the one or more functions if the handoff criteria are satisfied and that designation is communicated directly from the first participant to the second participant. In effect, this means that the second participant has been "pre-designated" as the successor to take over responsibility for performing the one or more functions in the event the first participant is unable to do so (e.g., the handoff criteria are satisfied).

Note that while the terms "pre-designate" and "pre-designation" are not used in Claim 1 or in the Application, Claim 1 features and the Application describes "designating" the second participant "prior to a failure of the first participant," which means that Claim 1 incorporates the definition of the terms "pre-designate" and "pre-designation" instead of using such terms themselves. Therefore, while the terms "pre-designate" and "pre-designation" are used herein as a way to conveniently describe and refer to the features of Claim 1, Claim 1 and the remaining claims are not limited by the terms "pre-designate" and "pre-designation." Therefore, all of the claims are to be interpreted in light of the terminology and steps used in the claims themselves and are not limited by use of the terms "pre-designate" and "pre-designation" herein.

(C)   SUPPORT FOR AMENDMENTS TO CLAIM 1

The amendment to Claim 1 is fully supported by the Application as filed, and no new matter is added. For example, one embodiment of the approach of Claim 1 is presented in the application in FIG. 1A and 1B and the specification on pages 7-9. Specifically, FIG. 1A and 1B illustrate the use of an "associate master," which corresponds to the second participant of Claim 1. In FIG. 1A, participant P4 is the "master," which corresponds to the first participant of Claim 1, and the master performs the management functions for communications among participants P1 through P5. Participant P5 is the "associate master," meaning that participant P5 is designated to perform the management functions if the master cannot. Therefore, prior to the failure of the master as depicted in FIG. 1A, the associate master has been pre-designated to take over as the master, but prior to such a takeover, the master performs the management functions for communications instead of the associate master.

However, when the handoff criteria are satisfied (e.g., the master fails), the result is shown in FIG. 1B in which the participant P5, which was the associate master, assumes the

role of master previously held by participant P4. As a result, responsibility for the management functions are transferred from participant P4 (e.g., FIG. 1A) to participant P5 (e.g., FIG. 1B). In the situation of FIG. 1B, instead of participant P4, the original master, performing the management functions, in FIG. 1B, the associate master becomes the master and is now responsible for performing the management functions. Thus, a comparison of FIG. 1A and FIG. 1B illustrates the pre-designation of the associate master prior to the master failing, along with the transfer of responsibility for performing the management functions from the original master to the associate master when the handoff criteria are satisfied. Note that as a result of that transfer of responsibility for performing the management functions, participant P5 is labeled as the "master" in FIG. 1B. Thereafter, the process can repeat, such as is illustrated in FIG. 1C where participant P2 is designated as the associate master, so that participant P2 can take over as the master in case participant P5 can no longer perform the management functions.

Note that the use of an "associate master" as illustrated in FIG. 1 is not a form of proxying, but rather it is a technique for *transferring* responsibility for performing the management functions of the communications arrangement among the participants when a designated master becomes unable to perform those management functions be designating the successor of the master, namely the associate master, prior to the need to transfer the management functions.

Note also that while Claim 1 does not use the term "transferring" with respect to "the one or more functions," the Application using the terms "transfer" and "transferring" throughout (e.g., see the Title, Abstract, etc.), the steps of Claim 1 incorporate the definition of the concept of "transferring the one or more functions" from the first participant to the second participant through the features of: (1) "the first participant performing the one or more functions" while "the second participant not performing the one or more functions," both of which are "prior to a failure of the first participant..." and (2) "the second participant performing the one or more functions instead of the first participant performing the one or more functions," both of which are "in response to any of the one or more handoff criteria being satisfied." Therefore, while the terms are used herein and in the Application and may be viewed as a way to conveniently referred to the techniques described therein, the Claim 1 and the remaining claims are not limited by the terms "transfer" and "transferring."

20

Therefore, all of the claims are to be interpreted in light of the terminology and steps used in the claims themselves and are not limited by use of the terms "transfer" and "transferring" herein.

(2)   DISCUSSION OF *HANSON'S* PROXYING APPROACH

In contrast to the approach of Claim 1, *Hanson* discloses a type of "proxying" technique that uses a "Mobility Management Server" (MMS) for providing mobile and other intermittent connectively in nomadic systems (e.g., systems with mobile devices that move around). (Title, Abstract.) *Hanson* is directed to solving problems that arise when using mobile technologies, such as a disconnected or out of range user (paragraphs [0009-0010]), changes in network addresses (paragraphs [0011-0012]), and security (paragraphs [0013-0014]). In particular, *Hanson* explains that most networking applications require TCP/IP sessions or private virtual circuits that cannot continue to function if network interruptions are encountered or roaming between networks occurs (e.g., due to change in network addresses). (Paragraph [0008].)

More specifically, *Hanson* describes a "Mobility Management Server (MMS)," such as MMS 102 of Figure 1, that is coupled to the mobile network and that maintains persistent connections to the network and other peer processes. (Abstract.) If a Mobile End Station (MES), such as MES 104a of Figure 1, becomes unreachable, suspends, or changes network address, the MMS maintains the connection to the associated peer task, such as a peer task on host server 110 of Figure 1. (Abstract.) As a result, if the MES temporarily looses contact with its network medium, such as loosing contact with transceiver 106a, the connection to the peer, such as host 110, is maintained by MMS 102. (Abstract.) This means that while the MMS and the host 110 communicate in a typical fashion to maintain the persistent connection in a normal fashion, the MMS and MES communicate with each other using Remote Procedure Calls (RPCs) and an Internet Mobility Protocol. (Abstract.)

Note that the technique of *Hanson* is a form of "proxying" in which the MMS, such as MMS 102 of Figure 1, acts as an intermediary between two devices that normally would be directly connected, such as peer host 110 and MES 104a of Figure 1. (Paragraph [0024].) In fact, *Hanson* repeatedly and consistently uses the terminology of "***proxying***" in describing the approach described therein as follows: "If a Mobile End System becomes unreachable,

suspends, or changes network address (e.g., due to roaming from one network interconnect to another), the Mobility Management Server maintains the connection to the associated peer, by acknowledging receipt of data and queuing requests. This *proxying* by the Mobility Management Server allows the application on the Mobile End System to maintain a continuous connection even though it [e.g., the MES] may temporarily lose its physical connection to a specific network medium." (Paragraph [0024]; emphasis added.)

Therefore, each MES has a "proxy address" on the network that acts as a "virtual address" of the MES, and the MMS maps the virtual address to a current actual address of the MES, which may change as the MES moves. But because the MMS tracks that current actual address, the MMS knows where to send the RPCs to for that MES. (Paragraph [0025].) (*See also* Claim 1 of *Hanson* that describes the use of a "proxy server" and paragraphs [0026, 0027, 0029, 0053, 0070, 0073, 0083, 0087, 0093-0095, 0108, 0167, 0179-0183, 0285, 0327, and 0328] that describe the MMS as a proxy server or as proxying the communications between an MES and a peer host.)

In such a proxying approach as described in *Hanson*, the peer host 110 of Figure 1 communicates with MES 106a via MMS 102 by sending messages to the MES' virtual address, and the MMS 102 in turn uses the mapping of that virtual addresses to an actual physical address to communicate with MES 106a. Note that the communications between MES 106a and MMS 102 are done via remote procedure calls (RPCs) and the Internet Mobility Protocol (see paragraphs [0027-0030]), whereas the communications between the MMS 102 and host 110 are the normal persistent TCP/IP interactions (e.g., the typical "open connection").

Also note that while *Hanson* refers to the MMS "maintaining" the open connection when the MES becomes unreachable, the MMS is also "maintaining" the open connection even when the MES is available due to the MMS functioning as a proxy. Thus, *Hanson's* emphasis on "maintaining" the open connection upon failure of the MES is intended to reinforce the problem being solved by *Hanson* (e.g., the loss of the open connection when MES is unavailable). This is in contrast to *Hanson* being interpreted as indicated that the MMS operates differently depending on whether the MES is available or not, which would not be consistent with the MMS functioning as a proxy. As a result, if and when an MES becomes unreachable, the only change is that the MMS cannot communicate with the MES

until the MES becomes available again, as opposed to *Hanson* being read as disclosing that the MMS somehow becomes only operative when the MES fails. Also, *Hanson* explains that the host "sees only the (unchanging) virtual address proxied by the [MMS] server 102," which also means that the MMS interacts with the host in the same way, regardless of whether the MMS can communicate with the MES or not. (*See Hanson*, paragraphs [0084-0085].)

Thus, MES 106a does not communicate directly with host 110 or vice versa, since each only communicates directly with MMS 102, which as the proxy, knows to which host a particular communication from an MES is to be sent and to which MES a particular communication from a host is to be sent. The advantage of *Hanson's* approach is that when an MES becomes unavailable, which would result in a broken connection if the MES were communication directly with a host, the connection is still maintained by the MMS because the MMS keeps the connection open even if the MMS cannot communicate with the MES. However, while the MES is unavailable, the operation of the MMS is unchanged except that the MMS cannot communicate with the MES. Thus, there is no transfer of any functions from the MES to the MMS as a result of the unavailability of the MES, little less that the MMS has been pre-designated to assume responsibility for any functions in place of the now-unavailable MES.

(3)   THE FINAL OFFICE ACTION'S CITATIONS FROM *HANSON*

The Applicant appreciates the additional clarification of the Final Office Action with respect to explaining which elements disclosed in Hanson are being relied upon as disclosing the features of Claim 1. Specifically, the Final Office Action explains that the mobile end system (MES), as described in paragraph [0024], corresponds to the first participant of Claim 1 and that the mobility management server (MMS) corresponds to the second participant of Claim 1.

While the Applicant appreciates the clarifications described above, the Applicant is still unclear about exactly which functions described in *Hanson* are being relied upon as disclosing "the one or more functions" of Claim 1 in the Final Office Action. Specifically, the Final Office Action first explains that the "communication-receiving/transmitting messages" by the MES corresponds to the "one or more functions" of the first step of Claim 1 (e.g., "assigning, to a first participant..., one or more functions to be performed by the first

23

participant"). But then the Final Office Action later explains that the "maintains connections" by the MMS correspond to "the one or more functions" of the second to last step of Claim 1 (e.g., "assigning the one or more functions to the second participant"). Thus, despite reference to the same "one or more functions" throughout Claim 1 through the use of the claim language "*the* one or more functions," the Final Office Action appears to be relying on different functions in *Hanson* for different occurrences of "the one or more functions" in Claim 1.

During the Examiner Interview, the Applicant explained that when this feature is first introduced in Claim 1, the feature is referred to simply as "one or more functions." But in each reference to the one or more functions through the remainder of Claim 1, the claim language is "*the* one or more functions" to indicate that whatever the "one or more functions" are that are assigned to the first participant in the first step of Claim 1, "the one or more functions" being referred to thereafter in Claim 1 are "the [same] one or more functions." Thus, while there are many possible "functions" disclosed in *Hanson*, such as those noted in the Final Office Action's rejection of Claim 1, it appears to the Applicant that whatever function(s) is being relied upon in the rejection, it should be the same function(s) used throughout the rejection when referring to the different occurrences of "the one or more functions" in Claim 1, instead of using a different function(s) in different parts of the rejection of Claim 1.

For example, the "one or more functions" may be management functions, such as selecting the particular frequency hopping scheme to be used among the participants in the communications network, and such a management function is typically performed only by the master participant, (see Application, page 1, lines 16 – page 2, line 6). Thus, in the embodiment of Claim 1 shown in FIG. 1A, assume that a management function that is performed by the master participant P4 is to manage a particular communications protocol, such as the Bluetooth frequency hopping protocol, that is to be used for communications among participants P1 through P5. In this situation, the master would typically specify the parameters for the protocol, such as the hopping sequence among the communications channels to be used, which channels from the available channels are to be used, the timing of the hops, etc.

Then in the embodiment shown in FIG. 1A, participant P5 is designated as the associate master prior to a failure of the master that prevents the master from managing the

communications per the communications protocol. As a result, at the time depicted in FIG. 1A, which is prior to the failure of the master, the master manages the communications protocol, not the associate master.

When the master does fail at some later time, which would then be followed by satisfying the handoff criteria, the responsibility for performing the management function of managing the communications protocol is assigned to the associate master P5, which means that participant P5 is now the master instead of participant P4, as illustrated in FIG. 1B. Thereafter, prior to the master participant P5 failing, another participant is designated as the associate master, such as participant P2 as depicted in FIG. 1C, as so on.

Note that in this example illustrated in FIG. 1A, the "one or more functions" is the management function of managing the communications protocol, and that function is initially assigned to the participant P4, which is the master, but even though participant P5 is designated as the associate master, participant P5 does not perform the management function of managing the communications protocol in FIG. 1A. Then as illustrated in FIG. 1B, "the one or more functions" is still the management function of managing the communications protocol, but at this time following the failure of participant P4 and satisfaction of the handoff criteria, participant P5 has assumed the role of master and is now performing the management function of managing the communications protocol instead of participant P5 performing that function.

Nevertheless, for the reasons explained below, the Applicant respectfully submits that whatever function(s) from *Hanson* is used in comparison to the approach of Claim 1, *Hanson* fails to disclose the features of Claim 1 because in the approach of Claim 1, the one or more functions are performed by the first participant, but not the second participant, prior the failure of the first participant, and then after the handoff criteria are satisfied, the second participant performs the one or more functions instead of the first participant, whereas *Hanson* fails to disclose such a transfer of functions between two participants in which one participant is pre-designated to take over for the original participant.

(4)   *HANSON* FAILS TO DISCLOSE THE STEPS OF CLAIM 1 THAT TRANSFER FUNCTIONS
BETWEEN THE FIRST AND SECOND PARTICIPANTS

The Applicant respectfully submits that *Hanson* fails to disclose the following:
(a) "**assigning,** *to a first participant* from the plurality of participants, **one or more
functions…,**" (b) "**prior to** a failure of the first participant… the *first participant* **performing**
the one or more functions" and "*the second participant **not*** performing the one or more
functions," and (c) "in response to any of the one or more **handoff criteria** being satisfied…
assigning the **one or more functions** *to the second participant*" and "**the** *second participant*
performing the one or more functions **instead of** the *first participant* performing the one or
more functions." (Emphasis added.)

While *Hanson* discloses a form of proxying between a host 110 and an MES 104
through the use of a MMS 102 that functions as the proxy (see Figure 1 of *Hanson,*) *Hanson*
fails to disclose that at some first time, a function is assigned to one of those three devices that
is performed by one of those devices, and then at some other time, that same function is
assigned to another of the three devices to be performed by that other device instead of the
device to which the function was originally assigned.

For example, the Final Office Action first states in the rejection of Claim 1 that
Hanson discloses "a first participant (0024-mobile end system); one or more functions
(communication-receiving/transmitting messages)." However, that cited function of
"communication" by an MES 104 is not performed prior to the MES failing and then
performed by another device, such as MMS, when the handoff criteria (e.g., the MES
"becomes unreachable, suspends or changes address" as cited in the rejection of Claim 1).
Instead, the MES is able to communicate at some time with the MMS 102, and then later is
just unable to communicate for some time with the MMS 102. While the MMS 102
maintains the connection with the host 110 during the time that the MES is unavailable (see
Hanson, paragraphs [0024] and [0070]), by acting as a proxy, the function of maintaining the
connection with host 102 is always performed by MMS 102, while the MES may or may not
be able to communicate with the MMS 102.

As another example, in a latter portion of the rejection of Claim 1, the Final Office
Action states that *Hanson* discloses "assigning the functions to the second participant (0024-
maintains connections), paragraphs 0024, 0028 and 0029)." However, the function of

maintaining a connection with host 102 by the MMS 102 is always performed by the MMS 102, and there is nothing in *Hanson* that discloses that that function is first performed by MES 104 and then transferred to MMS 102 to perform instead of MES 104 when the handoff criteria are satisfied.

In fact, by acting as a proxy, MMS 102 effectively insulates the host 110 from any problems with communications between MMS 102 and MES 104. *Hanson* explains that this "proxy function [by MMS 102] means that the peer application [e.g., on host 110] never detects that the physical connection [from MMS 102] to the Mobile End System 104 has been lost—allowing the Mobile End system's application(s) to effectively maintain a continuous connection with its associated session end point (by simply and easily resuming operations once a physical connection [with MMS 102] again is established) despite the mobile system temporarily losing connection or roaming from one network...to another network..."

In addition, with regard to dealing with changes in address for MES 104, which is another of the triggers of a lost conventional connection that MMS 102 can deal with, *Hanson* also explains that the MMS 102 provides address management. Specifically, each MES 104 has a "virtual address" and MMS 102 maps each virtual address to each MES's current actual address. As a result, even if an MES's actual address changes, the virtual address is unchanged, and the change in the actual address of MES 104 "remains entirely transparent to an associated session end point on host system 110...[because the host] sees only the (unchanging) virtual address proxied by the [MMS] server 102." (See *Hanson*, paragraphs [0084-0085].)

Note that the use of virtual addresses in *Hanson's* approach means that the host 110 only knows the virtual address of an MES, while the MMS 102 maps each virtual address to the current actual address of each MES. This means that all communications that are intended to go between host 110 and MES 104 must go through MMS 102, which is to be expected with such a proxying approach. As a result, there is never any direct communication between host 110 and MES 104, and therefore there is no function that is transferred from MES 104 to MMS 102 whenever MES 104 becomes unreachable, suspends, or changes network address.

In contrast to *Hanson*, the approach of Claim 1 is not a form of proxying, but rather a way to pre-designate a successor participant (e.g., the "second participant" of Claim 1, such as the associate master participant P5 of FIG. 1A) that will perform functions originally

performed by another participant (e.g., the "first participant" of Claim 1, such as the master participant P4 of FIG. 1A) prior to a failure of that other participant. Then when the handoff criteria are satisfied, the functions are assigned from the original participant to the other participant, and the pre-designated participant performs those functions instead of the original participant.

One potential advantage of pre-designating the second participant as a successor to the first participant is that the communications arrangement can more quickly deal with the failure of the first participant as compared to traditional approaches, in which after the first participant fails, the communications arrangement must go through the normal selection procedure to choose the successor participant. Thus, not only is the approach of Claim 1 different than the proxying approach of *Hanson*, the approach of Claim 1 addresses a different problem, namely speeding up the transfer of functions, as compared to the problem *Hanson* is addressing, namely maintaining connections with mobile devices that become unreachable for some periods of time. In fact, the approach of *Hanson* for proxying communications with an MMS between a host and an MES could possibly be used in conjunction with the approach of Claim 1 since the two approaches solve different problems with different solutions.

(5)   CONCLUSION OF DISCUSSION OF CLAIM 1 AND *HANSON*

Because *Hanson* fails to disclose, teach, suggest, or in any way render obvious "*prior to a failure of the first participant that prevents the first participant from performing any of the one or more functions assigned to the first participant*," "the **first participant [is] performing** the one or more functions" but that "**the second participant [is]** *not* **performing** the one or more functions, " and that "*in response to any of the one or more handoff criteria being satisfied*" "**the** *second* **participant [is] performing the one or more functions** *instead of the first* **participant performing the one or more functions**," (emphasis added), the Applicant respectfully submits that, for at least the reasons stated above, Claim 1 is allowable over the art of record and is in condition for allowance.

B.   CLAIMS 16 AND 31

Claims 16 and 31 contain features that are either the same as or similar to those described above with respect to Claim 1.

For example, Claim 16 features "*prior to a failure of the first participant that prevents the first participant from performing any of the one or more functions assigned to the first participant*," "the **first participant [is] performing** the one or more functions" but that "**the second participant [is] *not* performing** the one or more functions" (emphasis added), which are the same as in Claim 1. Claim 16 also features that "*in response to any of the one or more handoff criteria being satisfied*" "**the *second* participant [is] performing the one or more functions *instead of the first* participant performing the one or more functions**" (emphasis added), which are the same as in Claim 1.

As another example, Claim 31 features that the mechanism of the **communications device** is configured to "perform **one or more functions**" and "*prior to a failure of the communications device that prevents the communications device from performing any of the one or more functions*…[the **communications device** is configured to] **perform** the one or more functions" but that "the ***particular* communications device does *not* perform** the one or more functions," which is similar to Claim 1. Claim 31 also features that "*in response to any of the one or more handoff criteria being satisfied*, the *particular* **communications device performs** the **one or more functions** *instead of* the communications device **performing the one or more functions**," which is similar to Claim 1.

Therefore, based on at least the reasons stated above with respect to Claim 1, the Applicant respectfully submits that Claims 16 and 31 are allowable over the art of record and are in condition for allowance.

      C.   CLAIMS 2-5, 8, 9, 13-15, 17-20, 23, 24, 28-30, 32-34, AND 38-52

Claims 2-5, 8, 9, 13-15, and 47-49 are dependent upon Claim 1, Claims 17-20, 23, 24, 28-30, and 50-52 are dependent upon Claim 16, and Claims 32-34 and 38-46 are dependent upon Claim 31. Each of Claims 2-5, 8, 9, 13-15, 17-20, 23, 24, 28-30, 32-34, and 38-52 is therefore allowable for the reasons given above for Claims 1, 16, and 31. In addition, each of Claims 2-5, 8, 9, 13-15, 17-20, 23, 24, 28-30, 32-34, and 38-52 introduces one or more additional limitations that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those limitations is not included at this time. Therefore, it is

respectfully submitted that Claims 2-5, 8, 9, 13-15, 17-20, 23, 24, 28-30, 32-34, and 38-52 are allowable for the reasons given above with respect to Claims 1, 16, and 31.

D.   SUPPORT FOR ADDED CLAIMS 53-55

Claims 53-55, which are added in the amendment above, are fully supported by the Application as filed, and no new matter is included. For example, the Application explains that the embodiment illustrated in FIGS. 1A – 1C "depict various states of a communications arrangement during the transfer of management functions between participants." (Application, page 5, lines 5-7.) As another example, the Application explains that management functions can be transferred between participants, although the approaches of the Application are not limited to management functions. (Application, page 7, lines 12-16.) The Application also describes the transfer of management functions in other portions of the specification. *See* Application, page 22, line 4; page 36, line 2; page 1, lines 12-14; page 2, line 24; *et seq.*

CONCLUSION

The Applicant believes that all issues raised in the Final Office Action have been addressed and that allowance of the pending claims is appropriate. After entry of the amendments, further examination on the merits is respectfully requested.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

To the extent necessary to make this reply timely filed, the Applicant petitions for an extension of time under 37 C.F.R. § 1.136.

If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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